



CITY OF KINGMAN REZONING APPLICATION PROCEDURES



In accordance with the adopted rules and regulations of the Kingman Planning and Zoning Commission, the following procedures shall be followed, and the following information shall be included in the rezoning application:

1. **APPLICATION REVIEW PROCEDURE:** Prior to making formal application for a rezoning, the applicant, or their designated representative, is encouraged to review their proposal with a member of the Planning Staff. This meeting is designed to determine if the applicant's proposal will conflict with any provisions on the City's General Plan, or other City studies. The staff member will discuss the appropriate zoning classification needed for the proposed use and discuss possible issues which could arise regarding the rezoning request. **FOR THE BENEFIT OF ALL PARTIES INVOLVED IN THE APPLICATION PROCESS, THE APPLICANT, OR REPRESENTATIVE, IS ENCOURAGED TO SCHEDULE AN APPLICATION REVIEW APPOINTMENT. PLEASE CALL THE KINGMAN PLANNING AND ZONING DEPARTMENT AT (928) 753-8130.**
2. **FILING:** At least seventeen (17) working days prior to the hearing date of the Kingman Planning and Zoning Commission, a complete rezoning application shall be submitted to the Development Services Department (refer to Planning & Zoning Commission Calendar, attached). **FAILURE TO PROVIDE ALL THE INFORMATION REQUIRED ON THE APPLICATION FORM MAY RESULT IN NON-PROCESSING OF THE REQUEST. COMPLETION OF THE PROPOSITION 207 WAIVER FORM IS OPTIONAL.**
3. **PLANNING STAFF REVIEW PROCESS:** Upon receipt of all required materials listed in the Rezoning Checklist, in accordance with ARS 8-835, an administrative review is conducted to determine the completeness of the application. The time frame to complete this administrative review is ten (10) working days. The applicant and/or designated representative shall be notified by telephone/mail/or e-mail of any deficiencies in the application. If the rezoning application is complete, the applicant will be notified by mail of the date of the public hearing. A copy of the rezoning request shall be forwarded to various city departments and outside agencies for evaluation. Interested agencies shall have ten (10) working days from the date of receipt of the information to complete their review. Agencies shall submit their evaluation report to the Development Services Director. No reply by an agency within the time limit specified shall be deemed as having no objection to the extension of time request.
4. **PUBLIC NOTICE:** At least fifteen (15) days prior to the hearing before the Planning and Zoning Commission, planning staff shall post a notice on the property at strategic location(s). Notice of time and place of public hearings shall be posted on bulletin boards at the City Complex (310 N. 4th St.). This building is open to the public Monday-Friday from 8am-5pm, except legal holidays. Notice shall be published in the local newspaper(s). A courtesy notice is sent by first class mail to property owners within 300 feet of the proposed rezoning action. Failure to receive a notice is not grounds to deny any request. Neighboring owners have the right to comment on the action, but do not have veto power over the request.

APPLICATION PROCEDURE (Continued):

5. **PLANNING AND ZONING COMMISSION HEARING and ACTION:** Planning staff will present a written report concerning the rezoning request to the Planning and Zoning Commission. The applicant, or designated representative, should be present to explain the rezoning request. Persons for or against the proposed rezoning request will be given the opportunity to be heard. The Planning and Zoning Commission will discuss the case and recommend approval or denial of the request. The Commission could also continue a request to gather more information or for another legitimate reason.
6. **CITY COUNCIL ACTION:** Any Planning and Zoning Commission recommendation, regardless of vote, is forwarded to the City Council for a second public hearing. The time and place of the City Council meeting will be announced at the Planning and Zoning Commission meeting, and is included in the initial public notice. City Council meetings are held the first and third Tuesdays of the month at 5:30 p.m., unless there is a State and/or Federal holiday. The City Council meeting held on the first Tuesday of each month is the normal meeting for action on zoning related cases.
7. **COUNCIL PUBLIC HEARING and ACTION:** The applicant, or their designated representative, should be present. Persons for or against the proposed rezoning are heard. If the owners of twenty percent (20%) or more of the lots, either in the proposed zone area or on any side of the proposed change within 150 feet, excluding street rights-of-way, file a protest in writing against a proposed zone change, it shall not become effective except by the favorable vote of three-fourths of all members of the City Council. Protest must be filed in writing no later than the close of business of the day preceding the date set for any Council hearing on the application for amendment. Again, any Planning and Zoning Commission recommendation is reviewed by the Council.
8. **SUBSEQUENT ACTION:** An ordinance is prepared and considered by the Council if the Planning and Zoning Commission recommends approval of the request. If a denial is recommended the Council may uphold the denial. The Council may also direct that an ordinance be prepared for City Council action at their next regularly scheduled meeting. After Council approval action, said ordinance affecting change will be published and become effective in thirty (30) days. If denied, another rezoning application on the property for essentially the same request will not be accepted for one (1) year.
9. **COUNCIL DECISION:** The decision of the City Council on the rezoning ordinance is final, unless a referendum petition is filed on an approved ordinance, in accordance with Arizona Revised Statute procedures. Any referendum on an approved rezoning ordinance stays implementation of the rezoning until the final decision by the voters in an election.
10. **INFORMATION SUBMISSION: ALL REQUIRED INFORMATION AS NOTED IN THE FIRST PAGE OF THIS MATERIAL SHALL BE SUBMITTED. LACK OF REQUIRED INFORMATION WILL DELAY THE HEARING OF THE REQUEST.**

CITY OF KINGMAN REZONING CHECKLIST

APPLICATION FEE: See attached fee schedule.

PROPOSITION 207 WAIVER FORM. Completion of this form is optional.

PROVIDE A LIST OF PROPERTY OWNERS WITHIN 300 FEET OF THE PROPOSED REZONING REQUEST. THIS LIST IS NEEDED TO SEND PUBLIC NOTICES TO SURROUNDING OWNERS CONCERNING THE REZONING REQUEST. THE LIST MUST CONTAIN THE ASSESSOR'S PARCEL NUMBERS, OWNERS OR RECORD, AND MAILING ADDRESSES.

Information to complete the property owners list is obtained from the MOHAVE COUNTY ASSESSORS OFFICE, 700 W. Beale Street, Kingman, AZ 86401 - (928) 753-0703

NOTE: AS DIRECTED BY THE MAYOR AND THE CITY COUNCIL AND THE PLANNING COMMISSION, INCOMPLETE APPLICATIONS OR MISSING INFORMATION WILL CAUSE DELAYS IN THE REVIEW OF THE REQUESTS.

THE FOLLOWING ITEMS TO BE SHOWN OR IDENTIFIED ON SITE PLAN:

- √ Legal description of the property involved
- √ Date, north point and scale
- √ Name, address and phone number of applicant and owner's written authorization for the proposed action is necessary
- √ Area on site (in square footage and acres)
- √ Existing zoning classification
- √ Location, dimensions, height, and architectural elevations of all proposed and existing structures on subject property
- √ Existing and proposed number of driveways and their locations
- √ Location of all proposed drives, parking areas, number of parking spaces, landscape areas and walls
- √ Location and right-of-way widths of all abutting streets and alleys
- √ Location and dimensions of all existing and proposed loading and unloading areas
- √ Type and location of any outdoor storage
- √ Location and width of existing and proposed curb and sidewalks
- √ Location of existing and proposed signs and their size
- √ Location and size of water and sewer lines and connection locations
- √ Location and dimensions of public or private easements
- √ Storm drainage provisions and any "A" Flood Zones

CITY OF KINGMAN PLANNING AND ZONING FEES

ACTION REQUESTED	FEES (\$)
Rezoning	
0-10 acres per district	\$1,000
Over 10 acres per district	\$2,000
Extension of Time/Modify conditions on a Rezoning or Conditional Use Permit	
Residential Districts	\$500
Commercial or Industrial Districts	\$1,000
Conditional Use Permit	
Residential Districts	\$500
Commercial or Industrial Districts	\$1,000
Conditional Use for Day Care (within an R-1, R-2, R-R, or R-MH district)	\$100
Variance	
Residential, Commercial or Industrial	\$500
General Plan Amendment	
Minor	\$1,000
Major	\$2,000
Subdivision	
Preliminary Subdivision Plat	\$500
Plus (per lot, tract, or parcel)	\$10
Extension of Time on a Preliminary Plat Approval	\$300
Final Subdivision Plat	\$1,000
Plus (per lot, tract or parcel)	\$10
Subdivision Abandonment	\$500
Amend a Recorded Subdivision Plat (Minor)	\$200
Minor Lot Splits (Parcel Plat)	
Review Fee	\$250
Appeal of Minor Lot Split Interpretation/Action	\$250
Manufactured Home Parks or RV Parks (New or Expansions)	
Review Fee	\$500
Plus (per space)	\$10
Request for Interpretations	\$100



CITY OF KINGMAN
REZONING APPLICATION FORM
CASE # RZ-_____

Application Date:

I (we) the undersigned property owner(s) request that the area described below be rezoned (PROVIDE COMPLETE LEGAL DESCRIPTION):

Property Address:

Proposed Rezoning Request to allow:

Zoning From:

Zoning To:

Mohave County Tax Parcel Number(s):

Size of Parcel:

OWNER'S NAME:

Mailing Address:

City/State/Zip:

Phone Number:

E-mail:

Signature:

APPLICANT NAME: (OR AGENT/REPRESENTATIVE); IF THE OWNER DOES NOT SIGN THIS APPLICATION A WRITTEN LETTER OF CONSENT MUST ACCOMPANY THIS APPLICATION.)

Mailing Address:

City/State/Zip:

Phone Number:

E-mail:

Signature:

ITEMS FROM THE "REZONING CHECKLIST" SHALL BE SUBMITTED WITH THIS REZONING APPLICATION.

**AGREEMENT FOR THE WAIVER OF CLAIMS FOR DIMINUTION IN VALUE OF PROPERTY
UNDER A.R.S. §12-1134**

This agreement is entered into this _____ day of _____, 201____, by and between _____ (Owner) and the CITY OF KINGMAN, an Arizona Municipal Corporation, (City).

RECITALS

- A. The Owner owns certain real property located with in the City or is with in the City's service area. This real property is depicted and legally described in the attached Exhibit A, incorporated into this agreement by this reference; and
- B. The Owner has requested that the City enact a certain land use change directly applicable to the Owner's property and agrees that this change will increase the value and use of the land; and
- C. The Owner is aware that, as a condition of receiving approvals under the City's land use laws, the City may impose various requirements, conditions, and stipulations upon the property that will govern development of the property; and
- D. The Owner agrees and consents to all the conditions imposed by the City regarding the land use action in:
 - a. _____ Rezoning/Zoning Change
 - b. _____ Conditional Use Permit
 - c. _____ General Plan Amendment
 - d. _____ Variance
 - e. _____ Site Plan
 - f. _____ Subdivision
 - g. _____ Ordinance
 - h. _____ Development Agreement
 - i. _____ Water/Wastewater Service
 - j. _____ other _____(please specify)
- E. By signing this agreement, the Owner acknowledges that Owner waives any right to claim diminution in value or claim for just compensation for diminution in value under A.R.S. §12-1134 related to the land use action as a result of the City's approval of the action in regards to the above referenced property. This waiver constitutes a complete release of any and all claims and causes of action that may arise or may be asserted under A.R.S. §12-1134 as it exists or may be enacted in the future or that may be amended from time to time with regard to the subject property.
- F. This agreement in no way acquiesces to or obligates the City to perform any legislative or administrative act.
- G. This agreement, any exhibits attached hereto, and any addendum, constitute the entire understanding and agreement of the Owner and the City and shall supersede all prior agreements or understandings between the Owner and the City regarding the above referenced property in accordance with A.R.S. §12-1134. This agreement may not be modified or amended except by written agreement by the Owner and the City.
- H. This agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona.

- I. If any legal action is brought by either party to enforce any provisions of this agreement, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and court costs in such amounts as shall be allowed by the court.
- J. Within ten (10) days after the execution of this agreement, the City Clerk shall file the agreement in the Official Records of the Recorder's Office, Mohave County, Arizona.
- K. This agreement runs with the land and is binding upon all present and future owners of the above referenced property.
- L. This agreement is subject to the cancellation provisions of A.R.S. §38-511
- M. The Owner warrants and represents that Owner holds fee title to the above referenced property, and that no other person has ownership interest in the property; and agrees to hold harmless and indemnify the City in any action regarding ownership. Owner is responsible to notify the City if change in ownership of the above listed property takes place prior to approval of the land use action. Any and all Owners must sign this agreement. Additional Owner signatures must be notarized and attached to this agreement.
- N. Any Agent that signs on behalf of the Owner, personally warrants and guarantees to the City that they have the full legal power to bind Owner to this agreement. Furthermore, Agent agrees to indemnify and hold harmless the City in any action regarding ownership of the above listed property. Agent is responsible to notify the City if any change in ownership of the above listed property takes place prior to the full approval of the requested action.

**CITY OF KINGMAN
A MUNICIPAL CORPORATION**

By: _____

Printed Name: _____

I, the undersigned, hereby agree to the terms and acknowledge this document and sign below.

PROPERTY OWNER/AGENT

By: _____

Print Name _____

State of Arizona)

County of Mohave)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 201__

Notary Public

CITY OF KINGMAN
PLANNING AND ZONING COMMISSION



2016 CALENDAR

Planning and Zoning Commission meets 2nd Tuesday of each month at 6:00 p.m.
City Council Chambers - 310 North Fourth Street - Kingman, Arizona

<i>SUBMITTAL DEADLINE 4:00 P.M.</i>	<i>PLANNING COMMISSION HEARING DATE</i>	<i>CITY COUNCIL HEARING DATE</i>
Dec 18, 2015	Jan 12, 2016	Feb 02, 2016
Jan 15, 2016	Feb 09, 2016	Mar 01, 2016
Feb 12, 2016	Mar 08, 2016	Apr 05, 2016
Mar 18, 2016	Apr 12, 2016	May 03, 2016
Apr 15, 2016	May 10, 2016	Jun 07, 2016
May 20, 2016	Jun 14, 2016	Jul 05, 2016
Jun 17, 2016	Jul 12, 2016	Aug 02, 2016
Jul 15, 2016	Aug 09, 2016	Sep 06, 2016
Aug 19, 2016	Sep 13, 2016	Oct 04, 2016
Sep 16, 2016	Oct 11, 2016	Nov 01, 2016
Oct 14, 2016	Nov 08, 2016	Dec 06, 2016
Nov 18, 2016	Dec 13, 2016	Jan 03, 2017
Dec 16, 2016	Jan 10, 2017	Feb 07, 2017

NOTE: THE SUBMITTAL DEADLINE IS FOR ALL ITEMS THAT ARE REQUIRED TO BE HEARD BY THE PLANNING AND ZONING COMMISSION, WITH THE EXCEPTION OF PRELIMINARY SUBDIVISION PLATS. PRELIMINARY SUBDIVISION PLATS ARE SCHEDULED FOR REVIEW BY THE PLANNING AND ZONING COMMISSION ONLY AFTER A STAFF REVIEW OF THE PRELIMINARY PLAT IS COMPLETED PER SECTION 2.2(6)A OF THE SUBDIVISION ORDINANCE, AND IT IS DETERMINED THAT THE PRELIMINARY PLAT IS IN CONFORMANCE WITH THESE REGULATIONS PER SECTION 2.2(6)B OF THE SUBDIVISION ORDINANCE.

CITY OF KINGMAN, DEVELOPMENT SERVICES DEPARTMENT
310 N. 4TH STREET, KINGMAN AZ 86401 - BUS. # (928) 753-8130 / FAX # (928) 753-7747
Web site: www.cityofkingman.gov

Updated 12/30/2015 sf

Development Services Department Planning and Zoning Division

Permit Application Processing Time Frames Per ARS 9-835

Request	Administrative Time Frame	Substantive Time Frame
Major General Plan Amendment	10-working days	125-working days
Minor General Plan Amendment	10-working days	95-working days
Preliminary Plat	10-working days	95-working days
Preliminary Plat Extension	10-working days	80-working days
Parcel Map (Minor Lot Split)	10-working days	65-working days
Final Plat	10-working days	95-working days
Zoning Text or Zoning Map Amendment	10-working days	80-working days
Conditional Use Permit	10-working days	80-working days
Variance	10-working days	50-working days